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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,593	07/12/2001	Eugenio Martinez-Uriegas	38P.1029	9422

5514 7590 07/13/2005

FITZPATRICK CELLA HARPER & SCINTO  
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NEW YORK, NY 10112

EXAMINER

ALAVI, AMIR

ART UNIT PAPER NUMBER

2621

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*Supp*  
**Notice of Allowability**

Application No.

09/902,593

Examiner

Amir Alavi

Applicant(s)

MARTINEZ-URIEGAS ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The telephone interview conducted 30 June 2005.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☒ The drawings filed on 09 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20050630</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____  |

*Supp*  
JOSEPH MANCUS  
PRIMARY EXAMINER

## **EXAMINER'S AMENDMENT**

- An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
- Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael K. O'Neill on 30 June 2005.
- The application has been amended as follows: Claim 17, line 3, after, "memory", please delete, "for".
- The reasoning for such change is to avoid the intended use by usage of, "for".

## **Response to Arguments**

- Applicant's arguments, see page 9, lines 15-21, filed 27 December 2004, with respect to claims 1-23 have been fully considered and are persuasive. The rejection of these claims has been withdrawn.

## **REASONS FOR ALLOWANCE**

- The following is an examiner's statement of reasons for allowance: The present invention is directed towards a method for gamut mapping an original image using at least one of plural different gamut mapping algorithms. The closest prior art, Nakauchi et al. (USPN 6,198,843 B1), shows a similar system, in which, luminosity and chromaticity are separately corrected so as

to achieve matching of suitable frequency components on a visual sensitivity as at a higher level as possible, this makes it possible to achieve color gamut mapping conceived taking the spatial frequency characteristics of images into consideration, which can be adjusted to suppress differences to a level almost imperceptible to human eyes. However, Nakauchi et al. fail to address:

Regarding claim 1, "for associating regions of the original image with one of the plural gamut mapping algorithms based on analysis of spatial frequency content and gamut mapping each region associated with a gamut mapping algorithm using the associated gamut mapping algorithm so as to produce a gamut mapped image of the original image"; Regarding claims 24 and 26, "for performing gamut mapping on the original image by using plural different gamut mapping processes while obtaining spatial frequency content of the original image and controlling the gamut mapping based on the spatial frequency content". These distinct features have been added separately to different independent claims and render them allowable.

- Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

## Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amir Alavi whose telephone number is 571-272-7386.
- The examiner can normally be reached on Mon-Thu.. 8:00 am thru 6:30pm.If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Bhavesh Mehta can be reached on 571-272-7453.
- The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.
- For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AA  
Group Art Unit 2621  
30 June 2005

*Syay*  
JOSEPH MANCUS  
PRIMARY EXAMINER